

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

STACEY BELLAMY,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION
)	FILE NO. CV422-061
)	
WAL-MART STORES, INC. AND)	
WAL-MART REALTY COMPANY,)	
)	
)	
Defendants.)	

NOTICE OF REMOVAL

Defendants petition for removal of the action herein from the State Court of Chatham County to the United States District Court for the Southern District of Georgia, Savannah Division and respectfully shows the Court the following:

1. Plaintiff filed the above-styled civil action in the State Court of Chatham County, Civil Action File No. STVCV22-00222 on February 7, 2022. Attached as Exhibit “A” are copies of all process, pleadings, and orders filed in that action known to Defendants.
2. Plaintiff’s Complaint alleges that he was injured in a slip and fall accident at the Walmart Supercenter located at 6000 Ogeechee Road, Savannah, Chatham County, Georgia. (Exhibit “A”, Plaintiff’s Complaint, ¶¶ 6,11).
3. Plaintiff filed suit in Chatham County, Georgia, based on the location of the accident. (Exhibit “A”, Plaintiff’s Complaint, ¶ 6).
4. Defendants remove this case as this Court has diversity jurisdiction over this action under 28 U.S.C. § 1332, which requires (a) complete diversity of citizenship between the parties and (b) an amount in controversy exceeding \$75,000.

5. The parties are citizens of different states. Based on reasonable inquiry and Plaintiff's allegations, Plaintiff is a Georgia citizen. (See Exhibit "A" Complaint, ¶ 1.) Defendants Wal-Mart Stores, Inc. and Wal-Mart Realty Company are corporations formed under the laws of the State of Delaware with their principal places of business located in Arkansas. (See Exhibit "B": Amended Certificate of Authority to Transact Business). Consequently, complete diversity of citizenship exists between the parties. *See* 28 U.S.C. § 1332(a)(1).

6. Plaintiff's Complaint claims \$50,350.31 in special damages for past medical expenses. (Exhibit "A" Complaint ¶ 33). Plaintiff also seeks unspecified damages for lost wages and any future treatment as well as at least \$10,000 in general damages. (*Id.*) Based on the amount of medical bills incurred, it is reasonable to infer that Plaintiff will seek in excess of \$75,000 in damages.

7. Consequently, this Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 1332 (a), 1441, and 1446 because (a) complete diversity exists between the parties to this action and (b) the amount in controversy is in excess of \$75,000.00.

8. By service of a copy of this Notice of Removal as evidenced by the Certificate of Service attached, Defendant gives notice of such removal to Plaintiff as required by 28 U.S.C. § 1446.

9. A true and correct copy of this Notice of Removal will be filed with the Clerk of State Court of Chatham County, Georgia as required by 28 U.S.C. §1446(d). (Exhibit "C").

Wherefore, Defendants pray that the above-styled lawsuit be removed to the United States District Court for the Southern District of Georgia, Savannah Division, that this Court take cognizance and jurisdiction over this claim from the State Court of Chatham County, Georgia,

and that this action shall proceed as removed and under this Court's jurisdiction under 28 U.S.C. § 1332.

This 17th day of March, 2022.

DREW, ECKL & FARNHAM, LLP

/s/ Garret W. Meader

GARRET W. MEADER

Georgia Bar No. 142402

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CERTIFICATE OF SERVICE

This is to certify that I have this day forwarded, via Email and United States Mail, postage prepaid, a true and correct copy of the foregoing *Notice of Removal* to the following attorney, addressed as follows:

W. Brian Cornwell
Benjamin C. Davidson
The Cornwell Firm
349 Mall Boulevard Suite 210
Savannah, Georgia 31406
bcornwell@cornwelllaw.org
bdavidson@cornwelllaw.org

This 17th day of March, 2022.

DREW, ECKL & FARNHAM, LLP

/s/ Garret W. Meader
Garret W. Meader
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